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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91198983
Party	Defendant Randall Fishman
Correspondence Address	BRUCE T MARGULIES NEIFELD IP LAW PC 4813 B EISENHOWER AVENUE ALEXANDRIA, VA 22304 UNITED STATES bmargulies@neifeld.com
Submission	Request to Withdraw as Attorney
Filer's Name	Bruce T. Margulies
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Signature	/BTM/
Date	06/13/2011
Attachments	SupplementalMotionToWithdraw_6-13-2011a.pdf (4 pages)(31816 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Trademark Opposition No. 91198983

Motenergy, Inc.

v.

Randall Fishman

SUPPLEMENTAL REQUEST TO WITHDRAW AS ATTORNEY

REQUEST TO WITHDRAW AS ATTORNEY

On or about May 25, 2011, the undersigned became aware of a conflict of interest, which makes such withdrawal mandatory. The undersigned filed a motion to withdraw as attorney May 25, 2011, which was denied by a decision dated June 8, 2011. The undersigned apologizes to all parties for any delay caused by the oversight of the undersigned and files the following motion.

Pursuant to 37 CFR § 10.40(b)(2), the undersigned requests to withdraw as attorney of record for Applicant, Randall Fishman.

The undersigned has complied with 37 CFR § 10.40(a) and has taken the noted reasonable steps to avoid foreseeable prejudice to the rights of his client. Specifically, (1) the undersigned has specified the basis for the request; (2) the practitioner has notified the client of his desire to withdraw from employment, and has allowed time for employment of another practitioner; (3) all papers and property that relate to the proceeding and to which the client is entitled have been delivered to the client; (4) any part of a fee paid in advance that has not been earned has been refunded; and (5) attached herewith is proof of service of the request upon the client and upon every other party to the proceeding.

The Applicant recently filed an answer in this opposition, however, a discovery conference with opposing counsel has not yet been scheduled. The undersigned does not believe that this withdrawal and a potential delay in scheduling the discovery conference will prejudice to the rights of his client.

Respectfully submitted,

/BTM/

Bruce T. Margulies
Attorney of Record for Applicant

6/13/2011

Date

Certificate of Service

I certify that on June 13, 2011 I caused a copy of the foregoing Supplemental Motion to Withdraw to be transmitted by First Class U.S. Mail to the Opposer at the following address:

JILL GILBERT WELYTOK
ABSOLUTE TECHNOLOGY LAW GROUP LLC
3316 WEST WISCONSIN AVENUE
MILWAUKEE, WI 53208

6/13/2011
Date

/BTM/
Bruce T. Margulies

Certificate of Service

I certify that on June 13, 2011 I caused a copy of the foregoing Supplemental Motion to Withdraw to be transmitted by First Class U.S. Mail to the Applicant at the following address:

RANDALL FISHMAN
118 PINE STREET
APT 3
CLIFFSIDE PARK, NJ 07010

6/13/2011

Date

/BTM/

Bruce T. Margulies